



**Racing  
Victoria**

## **AMENDMENTS TO RULES OF RACING**

### **Amendment No 176 – Issued 20 December 2018**

Racing Australia has approved the following amendments to the Australian Rules of Racing, effective from 7 January 2019.

#### **AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 1A**

##### **TROPHY & CLASS B RACES**

##### **SUMMARY OF AMENDMENT**

Racing Australia has determined to increase prizemoney thresholds for Trophy and Class B races as follows:

- Trophy race – increased from \$3,500 to \$5,000; and
- Class B race – increased from \$10,000 to \$12,500.

#### **Amendments effective from 7 January 2019**

##### **AR 1A BE AMENDED AS FOLLOWS:**

###### **AR 1A**

...

A Trophy Race is a race in which the prizemoney and/or value of any trophy to the winner does not exceed ~~\$3,500~~ \$5,000.

...

**A CLASS B RACE\*** is one restricted to horses which, at the time of starting, have not generated prizes in the aggregate worth more than ~~\$10,000~~ \$12,500 for wins in races on the flat and have never won a race on the flat outside Australia.

\*The value of the prize to the winner shall not exceed:

in a Class A Race - \$6,000

in a Class B Race - ~~\$10,000~~ \$12,500

...

## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 14B

### REGISTRATION OF HORSES

#### SUMMARY OF AMENDMENT

Racing Australia has determined to amend AR 14B to provide Racing Australia with a discretion to allow the registration of a horse despite its owners not lodging their Mare Return and Foal Ownership Declaration on time.

This amendment provides Racing Australia with flexibility in its enforcement of the rule, such as where exceptional circumstances for late lodgement exist.

#### Amendments effective from 7 January 2019

#### **AR 14B BE DELETED AND REPLACED AS FOLLOWS:**

##### **AR 14B**

- ~~(a) This Rule applies to all Eligible Horses.~~
  - ~~(b) An Eligible Horse cannot be registered under these Rules unless:~~
    - ~~(i) a Mare Return has been lodged with the Australian Stud Book in accordance with the Rules of the Australian Stud Book; and~~
    - ~~(ii) a Foal Ownership Declaration has been lodged by the Manager, or his or her Authorised Agent, with the Registrar within 60 days of foaling.~~
- ...

##### **AR 14B**

- (a) This Rule applies to all Eligible Horses.
  - (b) Except where Racing Australia, in its sole and absolute discretion, permits otherwise, an Eligible Horse cannot be registered under these Rules unless:
    - (i) a Mare Return has been lodged with the Australian Stud Book in accordance with the Rules of the Australian Stud Book; and
    - (ii) a Foal Ownership Declaration has been lodged by the Manager, or his or her Authorised Agent, with the Registrar within 60 days of foaling.The discretion in this subrule may be exercised by Racing Australia in respect of matters occurring at any time, including prior to the amendment of this subrule.
- ...

## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 54

### LOCATION OF HORSES

#### SUMMARY OF AMENDMENT

Racing Australia has determined to amend the rule in relation to stable returns to enable racing authorities and Stewards to more accurately understand the true location of a horse at a particular time.

This rule is extremely important as it allows Stewards to track horse movements so they can carry out the necessary stable inspections, drug testing and surveillance.

The amended rule is more in line with the NSW and Victoria local rules, and better captures horse movements from the time of entry until arriving on course to race. These amendments will assist in ensuring the integrity of racing, particularly given the increasing number of horses that travel across state borders to race.

### Amendments effective from 7 January 2019

#### **AR 54 BE DELETED AND REPLACED AS FOLLOWS:**

##### **AR 54**

- ~~(1) The trainer of a horse must within 48 hours of its entering or leaving his stable lodge a stable return containing such information as is required by the Principal Racing Authority; provided that if such horse has been or is to be nominated for a race or official trial such stable return must be lodged immediately. [amended 1/9/09]~~
- ~~(2) If a horse trained outside Australia is entered for a race or official trial, a stable return for such horse must be lodged with the Principal Racing Authority no later than the time for the declaration of final acceptances for such race or the time for the closing of entries for such official trial. [amended 1/9/09]~~
- ~~(3) When a stable return for a horse has been duly lodged the trainer shall immediately lodge an amended stable return when any particulars on the previous return have changed.~~
- ~~(4) Any trainer who fails to lodge, in whole or in part, a stable return or any amendment thereof in accordance with the provisions of this rule may be penalised and the entry of such horse for any race or official trial may be rejected or cancelled.~~

##### AR 54

- (1) A stable return and any amendment thereto lodged with a Principal Racing Authority (or its agent) is part of any entry for a race at any race meeting.
- (2) A horse trained in Australia may not be entered for a race, official trial or jump-out unless a stable return for that horse is lodged with a Principal Racing Authority (or its agent):
  - (a) prior to the closing time for entries for the race, official trial or jump-out; or
  - (b) if entries for a race close more than 60 days before the advertised date for the running of the race, prior to the time for the first declaration of acceptances for the race.
- (3) If a horse trained outside Australia is entered for a race, official trial or jump-out, a stable return for that horse must be lodged with a Principal Racing Authority (or its agent) prior to the time for declaration of final acceptances for the race, official trial or jump-out.
- (4) The trainer of a horse must:
  - (a) disclose the location of a horse under his or her care upon request by Racing Australia (for retirement purposes only) and/or a Principal Racing Authority;
  - (b) lodge a stable return immediately upon a horse joining the trainer's stable;
  - (c) lodge an amendment to a stable return immediately if:
    - (i) any particulars on the stable return have changed; or
    - (ii) a horse leaves or joins the trainer's stable, or moves to another of the trainer's premises (where the trainer's stable is comprised of more than one premises), with the amendment to disclose the precise location of the horse.
- (5) For the purposes of subrule (4):
  - (a) if a trainer's stable is comprised of more than one premises, the trainer must disclose at which premises the horse is located;

- (b) when a horse leaves a trainer's stable to spell or otherwise the trainer must disclose the location of the property at which the horse shall be located.
- (6) Where a horse has been entered for a race, from the time of entry to arrival on course prior to racing:
- (a) except with the permission of the Stewards, the horse must be stabled only at the premises from which the horse's trainer is licensed to train;
- (b) if the horse is travelling to participate in the race, the horse's trainer must inform the Stewards of the horse's proposed travel plans prior to the horse's departure from the trainer's stable and/or lodge a stable return disclosing the location of the horse (as required by the relevant Principal Racing Authority).
- (7) Any trainer who fails to lodge, in whole or in part, a stable return or any amendment thereof, or fails to provide details of the location or movements of a horse, in accordance with the provisions of this rule may be penalised and the entry of such horse for any race, official trial or jump-out may be rejected or cancelled.
- (8) The Manager (or his or her Authorised Agent) of an Eligible Horse or a Named Horse must, unless otherwise contained in a stable return lodged in accordance with this rule, disclose:
- (a) the location of that horse upon request by Racing Australia and/or a Principal Racing Authority, including as required under any registration, ownership transfer or other form;
- (b) any change in the previously notified location of that horse, to the satisfaction of a Principal Racing Authority, immediately.
- (9) Any person who fails to provide details in respect of the location of a horse in accordance with the provisions of this rule may be penalised.

## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 87

### HELMET STANDARDS

#### SUMMARY OF AMENDMENT

Racing Australia has determined to amend the helmet standards approved under AR 87 to reflect updated international standards.

#### Amendments effective from 7 January 2019

#### **AR 87 BE DELETED AND REPLACED AS FOLLOWS:**

~~AR 87 Every licensed or registered person or permit holder shall when mounted on a horse wear a properly affixed helmet which conforms to one of the standards that have been approved by the Australian Racing Board.~~

~~Note: Pursuant to AR 87 the Australian Racing Board has ordered that:~~

- ~~(a) The following standards are approved by the Australian Racing Board:
  - ~~(i) AS/NZS 3838:2006;~~
  - ~~(ii) United States (US) ASTM F11 63-01;~~
  - ~~(iii) British Standards (BS) EN 1384/1996 onwards;~~
  - ~~(iv) United States (US) ASTM F11 63-04a (reapproved 2011);~~
  - ~~(v) PAS 015:2011~~
  - ~~(vi) VG1 01.040, recommendation for use 12/12/2014.~~~~
- ~~(b) all helmets must be fitted with a nylon interlocking chinstrap clip attachment;~~
- ~~(c) all helmets must be clearly marked with a date of manufacture; and~~
- ~~(d) the use of helmets is subject to the conditions of AR 87AA.~~

AR 87 Every licensed or registered person or permit holder shall when mounted on a horse wear a properly affixed helmet which conforms to one of the standards that have been approved by Racing Australia.

Note: Pursuant to AR 87 Racing Australia has ordered that:

- (a) The following standards are approved by Racing Australia:
  - (i) AS/NZS 3838 2006;
  - (ii) EN 1384:2012 or EN 1384:2017;
  - (iii) ASTM F11 63-04a (2011), ASTM F1163-13 or ASTM F1163-15;
  - (iv) PAS 015:2011;
  - (v) VG1 01.040, Recommendation for Use, 12/12/2014.
- (b) All helmets must be fitted with a nylon interlocking chinstrap clip attachment.
- (c) All helmets must be clearly marked with a date of manufacture.
- (d) The use of helmets is subject to the conditions of AR 87AA.

**AMENDMENT TO THE AUSTRALIAN RULES OF RACING:  
TOR Rules – Appendix 1 and Rule 6(5)**

## TRAINER OWNER REFORMS

### SUMMARY OF AMENDMENT

A key feature of the Trainer and Owner Reforms (TOR) is that an owner of a horse who has failed to pay their training fees can have certain prizemoney frozen and redirected to the horse's trainer.

However, the term in the TOR Rules that allows this to occur ("prizemoney to which an Owner would otherwise be entitled") may inadvertently restrict a trainer from obtaining prizemoney from a defaulting owner in circumstances where:

- the owner transferred the horse to another trainer before the first trainer became entitled to restrict such a transfer; or
- a majority part owner (who is not in default) transferred the horse to another trainer before the first trainer sought the freezing and redirection of prizemoney.

Accordingly, Racing Australia has determined to amend the definition of "prizemoney to which an Owner would otherwise be entitled" to ensure the first trainer can still obtain the relevant prizemoney after the horse has been transferred to another trainer.

A consequence of the amendment is that both trainers may have competing claims for prizemoney if the owner accrues debts with both. To address this potential issue, Racing Australia has determined to insert a new rule to provide that the claims of the trainer who first seeks freezing and redirection of prizemoney will take precedence over the other trainer's claims. If both trainers enforce their rights under the TOR Rules when they arise, precedence will sit with the first trainer.

## Amendments effective from 7 January 2019

### **APPENDIX 1 OF THE TOR RULES BE DELETED AND REPLACED AS FOLLOWS:**

#### SCHEDULE 1 TO THE AUSTRALIAN RULES OF RACING

##### TRAINER OWNER REFORMS

###### APPENDIX 1: INTERPRETATION OF THE TOR RULES

###### DEFINITIONS

...

~~*Prizemoney to which an Owner would otherwise be entitled* means, for the purpose of these TOR Rules, any prizemoney which, but for these TOR Rules, an Owner would be entitled to receive from Racing Australia or a PRA in relation to the results in a race of a horse or horses owned or part owned by the Owner which is trained by the Trainer. Such prizemoney may therefore include prizemoney earned through the results of a horse/s other than the horse/s that received the relevant Training Services the subject of action under these TOR Rules.~~

...

###### APPENDIX 1: INTERPRETATION OF THE TOR RULES

###### DEFINITIONS

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*Prizemoney to which an Owner would otherwise be entitled* means, for the purpose of these TOR Rules, any prizemoney which, but for these TOR Rules, an Owner would be entitled to receive from Racing Australia or a PRA in relation to the results in a race of a horse or horses owned or part owned by the Owner which is trained by the Trainer (or that received the Training Services). Such prizemoney therefore includes prizemoney earned through results of a horse/s other than the horse/s that received the relevant Training Services the subject of action under these TOR Rules and prizemoney of the horse/s that received the relevant Training Services (even if the Trainer no longer provides Training Services in respect of such horse/s).

...

**TOR RULE 6(5) BE ADDED AS FOLLOWS:**

**TOR Rule 6 – Consequences for a *Trainer* and *Owner* if the *Presumption of a Training Debt* arises**

...

(5) If, in respect of a *horse* owned or part owned by an *Owner*:

(a) the *horse* is transferred from one *Trainer* to another *Trainer*;

(b) the *Owner* owes *Training Fees* and/or *Training Disbursements* to both *Trainers*; and

(c) both *Trainers* have filed an *EAA/s* pursuant to TOR Rule 6(1)(c).

the earlier of the *EAA/s* filed will take precedence in respect of *freezing* the payment of *prizemoney* to which the *Owner* would otherwise be entitled and directing payment of that *prizemoney* to the *Trainers*.

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To view the current version of the Rules of Racing, please visit the following link to the Racing Victoria website: <http://rv.racing.com/racing-and-integrity/rules-of-racing>